

## IN THE MICHIGAN COURT OF APPEALS

### ORDER

Re: **People of MI v Scott Bruce King**  
Docket No. **266978**  
L.C. No. **00-010106-FC**

William C. Whitbeck, Chief Judge, acting under MCR 7.201(B)(3) and 7.216(A)(10),  
orders:

The delayed application for leave to appeal is DISMISSED for failure to pursue the case in conformity with the rules. MCR 7.201(B)(3) and 7.216(A)(10). The Clerk of this Court served appellant with an order regarding the payment of an entry fee, and appellant failed to pay the entry fee in a timely manner. The Court would further note that defendant is trying to appeal the denial of successive motion for relief from judgment that is prohibited by MCR 6.502(G)(1). A retroactive change in the law did not occur after defendant's first motion for relief from judgment because it was the 2000 case of *Apprendi v New Jersey*, 530 US 466; 120 S Ct 2345; 147 L Ed 2d 435 (2000) that established the law, not *Blakely v Washington*, 542 US 296; 124 S Ct 2531; 159 L Ed 2d 403 (2004). *Blakely* was simply an application of the legal principle established by *Apprendi*.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 10 2006

Date

*Sandra Schultz Mengel*  
Chief Clerk